

1 BILL NO. Z-81-06-04

2 ZONING MAP ORDINANCE NO. Z-Post

3  
4 AN ORDINANCE amending the City of Fort  
5 Wayne Zoning Map No. M-18.

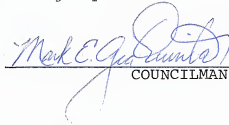
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
7 WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is hereby  
9 designated an R-3 District under the terms of Chapter 33, The  
10 Code of the City of Fort Wayne, Indiana of 1974:

11 Lots 23 and 24 in John H. Jacobs 3rd  
12 Addition of the City of Fort Wayne,  
13 Indiana,

14 and the symbols of the City of Fort Wayne Zoning Map No. M-18,  
15 referred to therein, established by Section 33-11 of said  
16 Chapter are hereby changed accordingly.

17 SECTION 2. That this Ordinance shall be effective upon  
18 passage, approval by the Mayor and legal publication thereof.

19  
20   
21 COUNCILMAN

22  
23 APPROVED AS TO FORM AND  
24 LEGALITY JUNE 3, 1981.

25   
26 BRUCE O. BOXBERGER, CITY ATTORNEY  
27  
28  
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32

Read the first time in full and on motion by Gia Quinta, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 6-9-81

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by G. Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>0</u>	<u>7</u>		<u>7</u>	
<u>BURNS</u>		<u>✓</u>			
<u>EISBART</u>		<u>✓</u>			
<u>GIAQUINTA</u>		<u>✓</u>			
<u>NUCKOLS</u>				<u>✓</u>	
<u>SCHMIDT, D.</u>				<u>✓</u>	
<u>SCHMIDT, V.</u>		<u>✓</u>			
<u>SCHOMBURG</u>		<u>✓</u>			
<u>STIER</u>		<u>✓</u>			
<u>TALARICO</u>		<u>✓</u>			

DATE: 8-11-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

Charles W. Westerman - CITY CLERK

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Charles W. Westerman - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Winfield C. Moses, Jr.  
MAYOR

BILL NO. Z-81-06-04

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. M-18

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do Not PASS.

MARK E. GIAQUINTA, CHAIRMAN

*Mark E. Giaquinta*

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

*Vivian G. Schmidt*

JAMES S. STIER

*James S. Stier*

DONALD J. SCHMIDT

*Donald J. Schmidt*

8-11-81

CONCURRED IN

DATE CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

31 July 1981

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-06-04
2. From R-2 to R-3
3. Intended Use: Expansion of a legal non-conforming use as a professional office.
4. Plan Commission Recommendation: DO NOT PASS

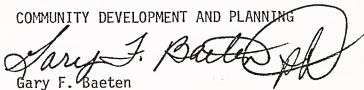
This ordinance received a DO NOT PASS recommendation for the following reason:

REASON: This request could establish an undesirable precedent by encouraging future encroachment into a very stable residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

  
Gary F. Baeten  
Senior Planner

GFB:pb

# RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 9, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-06-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

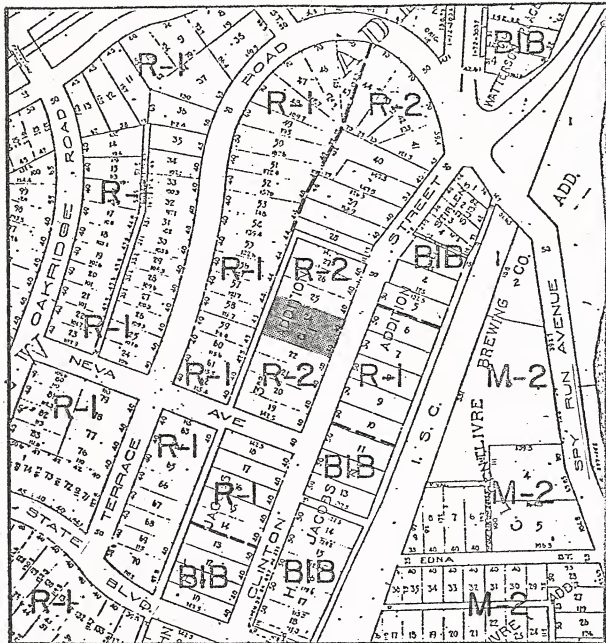
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1981.

Certified and signed this  
31st day of July 1981.

*Dennis J. Grotian*  
Dennis J. Grotian  
Secretary

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<b>RECEIPT</b>		Date <u>May 15, 1981</u>	No. <b>15957</b>
Received From <u>Larry L. Wagner</u>			
Address <u>2505 No. Clinton St.</u>			
<u>fifty</u> <u>00/100</u> Dollars \$ <u>50.00</u>			
For <u>rezoning - R-3 to R-3</u>			
ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	<input checked="" type="checkbox"/>
BALANCE DUE		MONEY ORDER	
		By <u>Pat B.</u>	



 ZONING RECLASSIFICATION FROM AN R-2 TO AN R-3 DISTRICT.

MAP NO. M-18

*Z-81-06-04*

BY G.R. LAX 5-19-81



# CERTIFICATE OF SURVEY

NUMBER

OFFICE OF **B. F. KAPP**

**CIVIL ENGINEER & LAND SURVEYOR FORT WAYNE**

Registered in Indiana

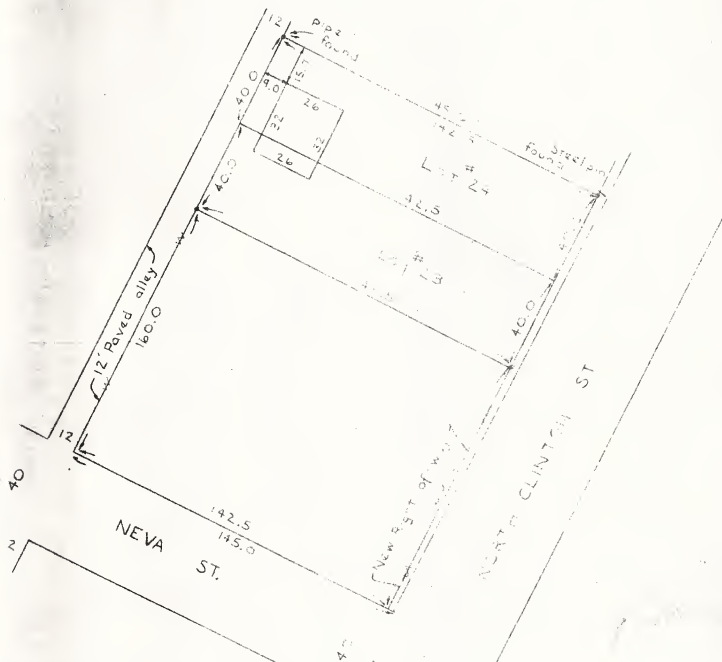
No. 3761

No. 10074

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No. **23 and 24 in JOHN H. JACOBS, 1st Addition to the City of Fort Wayne, Indiana, commonly known as NEVA North Clinton Street**, except that part taken for the widening of North Clinton Street.

31-12-35A



I hereby certify that the above Plat, Survey, and Dimensions are correct this 1st day of May, 1974

The above described property is not within the Flood Plane Area according to the Corps of Engineers, U. S. Army, Detroit District.

Terry (owner) Bill-L (owner) National Park  
For Ed (owner) (owner) (owner)

IN WITNESS WHEREOF, I place my hand and seal this 31 day of May, 1974

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

I, Terry L. Wagner

(Applicant's Name or Names)

hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-2 District to a/an R-3 District the property described as follows:

Lots 23 and 24 in John H Jacobs 3rd addition of the City of Fort Wayne, Indiana,  
commonly known as 2505 North Clinton Street.

Legal Description) If additional space is needed, use reverse side.

One story block and brick office building (26 x 32) occupied by certified public  
accountant's offices.

General Description for Planning Staff Use Only)

We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Terry L. Wagner

1621 South Hill Drive, Ft Wayne

*Terry L. Wagner*

(Name)

(Address)

(Signature)

If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

THE FOLLOWING RULES

1 requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Terry L. Wagner

2505 N Clinton St, Ft Wayne 46805

(219) 484-4195

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

## DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-81-06-04

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE Lot #23 & 24 in John H. Jacobs 3rd Addition, more  
commonly known as 2505 North Clinton Street.EFFECT OF PASSAGE Property is now zoned R-2 - Two Family Residential.Property will become R-3 - Multiple Family Residential.EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_